

110TH CONGRESS
2D SESSION

H. R. 6290

To designate certain land in the State of Oregon as wilderness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2008

Mr. BLUMENAUER (for himself, Mr. DEFazio, Ms. HOOLEY, and Mr. WU) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To designate certain land in the State of Oregon as wilderness, and for other purposes.

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Lewis and Clark Mount Hood Wilderness Act of 2008”.

4 (b) TABLE OF CONTENTS.—The table of contents of
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.

TITLE I—PROTECTED AREAS

Subtitle A—Designation of Wilderness Areas

- Sec. 101. Designation of Lewis and Clark Mount Hood wilderness areas.
- Sec. 102. Richard L. Kohnstamm Memorial Area.
- Sec. 103. Potential wilderness area; additions to wilderness areas.
- Sec. 104. Maps and legal descriptions.

- Sec. 105. Administration.
- Sec. 106. Buffer zones.
- Sec. 107. Fish and wildlife.
- Sec. 108. Fire, insects, and diseases.
- Sec. 109. Withdrawal.

Subtitle B—Designation of Streams for Wild and Scenic River Protection in
the Mount Hood Area

- Sec. 111. Wild and Scenic River designations, Mount Hood National Forest.
- Sec. 112. Protection for Hood River, Oregon.

Subtitle C—Mount Hood National Recreation Area

- Sec. 121. Mount Hood National Recreation Area.

Subtitle D—Protections for Crystal Springs, Upper Big Bottom, and Cultus
Creek

- Sec. 131. Crystal Springs Watershed Special Resources Management Unit.
- Sec. 132. Protections for Upper Big Bottom and Cultus Creek.

TITLE II—LAND EXCHANGES

Subtitle A—Cooper Spur-Government Camp Land Exchange

- Sec. 201. Definitions.
- Sec. 202. Cooper Spur-Government Camp land exchange.

Subtitle B—Port of Cascade Locks Land Exchange

- Sec. 211. Definitions.
- Sec. 212. Land exchange, Port of Cascade Locks-Pacific Crest National Scenic
Trail.

Subtitle C—Hunchback Mountain Land Exchange and Boundary Adjustment

- Sec. 221. Definitions.
- Sec. 222. Hunchback Mountain land exchange.
- Sec. 223. Boundary adjustment.

Subtitle D—Conditions on Development of Federal Land

- Sec. 231. Improved natural disaster preparedness.

TITLE III—TRIBAL PROVISIONS; PLANNING AND STUDIES

- Sec. 301. Transportation plan.
- Sec. 302. Mount Hood National Forest stewardship strategy.
- Sec. 303. Local and tribal relationships.
- Sec. 304. Recreational uses.

1 SEC. 2. DEFINITIONS.

2 In this Act:

1 (1) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture.

3 (2) STATE.—The term “State” means the State
4 of Oregon.

5 **TITLE I—PROTECTED AREAS**
6 **Subtitle A—Designation of**
7 **Wilderness Areas**

8 **SEC. 101. DESIGNATION OF LEWIS AND CLARK MOUNT**
9 **HOOD WILDERNESS AREAS.**

10 In accordance with the Wilderness Act (16 U.S.C.
11 1131 et seq.), the following areas in the State of Oregon
12 are designated as wilderness areas and as components of
13 the National Wilderness Preservation System:

14 (1) BADGER CREEK WILDERNESS ADDITIONS.—
15 Certain Federal land managed by the Forest Serv-
16 ice, comprising approximately 8,136 acres, as gen-
17 erally depicted on the maps entitled “Badger Creek
18 Wilderness—Badger Creek Additions”, “Badger
19 Creek Wilderness—Bonney Butte”, and “Badger
20 Creek Wilderness—Boulder Lake”, all dated April
21 2008, which is incorporated in, and considered to be
22 a part of, the Badger Creek Wilderness, as des-
23 ignated by section 3(3) of the Oregon Wilderness
24 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

1 (2) BULL OF THE WOODS WILDERNESS ADDI-
2 TION.—Certain Federal land managed by the Forest
3 Service, comprising approximately 10,183 acres, as
4 generally depicted on the map entitled “Bull of the
5 Woods Wilderness—Bull of the Woods Additions”
6 and dated April 2008, which is incorporated in, and
7 considered to be a part of, the Bull of the Woods
8 Wilderness, as designated by section 3(4) of the Or-
9 egon Wilderness Act of 1984 (16 U.S.C. 1132 note;
10 98 Stat. 273).

11 (3) CLACKAMAS WILDERNESS.—Certain Federal
12 land managed by the Forest Service, comprising ap-
13 proximately 9,470 acres, as generally depicted on the
14 maps entitled “Clackamas Wilderness—Big Bot-
15 tom”, “Clackamas Wilderness—Clackamas Canyon”,
16 “Clackamas Wilderness—Memaloose Lake”,
17 “Clackamas Wilderness—Sisi Butte”, and
18 “Clackamas Wilderness—South Fork Clackamas”,
19 all dated April 2008, which shall be known as the
20 “Clackamas Wilderness”.

21 (4) MARK O. HATFIELD WILDERNESS ADDI-
22 TIONS.—Certain Federal land managed by the For-
23 est Service, comprising approximately 25,963 acres,
24 as generally depicted on the maps entitled “Mark O.
25 Hatfield Wilderness—Gorge Face” and “Mark O.

1 Hatfield Wilderness—Larch Mountain”, all dated
2 April 2008, which is incorporated in, and considered
3 to be a part of, the Mark O. Hatfield Wilderness, as
4 designated by section 3(1) of the Oregon Wilderness
5 Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

6 (5) MOUNT HOOD WILDERNESS ADDITIONS.—
7 Certain Federal land managed by the Forest Serv-
8 ice, comprising approximately 21,940 acres, as gen-
9 erally depicted on the maps entitled “Mount Hood
10 Wilderness—Barlow Butte”, “Mount Hood Wilder-
11 ness-Bluegrass Ridge”, “Mount Hood Wilderness—
12 Elk Cove/Mazama”, “Mount Hood Wilderness—
13 Richard L. Kohnstamm Memorial Area”, “Mount
14 Hood Wilderness—Sand Canyon”, “Mount Hood
15 Wilderness—Sandy Additions”, “Mount Hood Wil-
16 derness—Twin Lakes”, and “Mount Hood Wilder-
17 ness—White River”, all dated April 2008, and the
18 map entitled “Mount Hood Wilderness—Cloud
19 Cap”, dated April 2008, which is incorporated in,
20 and considered to be a part of, the Mount Hood Wil-
21 derness, as designated under section 3(a) of the Wil-
22 derness Act (16 U.S.C. 1132(a)) and enlarged by
23 section 3(d) of the Endangered American Wilderness
24 Act of 1978 (16 U.S.C. 1132 note; 92 Stat. 43).

1 (6) SALMON-HUCKLEBERRY WILDERNESS ADDI-
2 TIONS.—Certain Federal land managed by the For-
3 est Service, comprising approximately 53,841 acres,
4 as generally depicted on the maps entitled “Salmon-
5 Huckleberry Wilderness—Alder Creek Additions”,
6 “Salmon-Huckleberry Wilderness—Eagle Creek Ad-
7 dition”, “Salmon-Huckleberry Wilderness—Hunch-
8 back Mountain”, “Salmon-Huckleberry Wilder-
9 ness—Inch Creek”, “Salmon-Huckleberry Wilder-
10 ness—Mirror Lake”, “Salmon-Huckleberry Wilder-
11 ness—Roaring River”, “Salmon-Huckleberry Wilder-
12 ness—Salmon River ‘Keyhole’”, and “Salmon-
13 Huckleberry Wilderness—Salmon River Meadows”,
14 all dated April 2008, which is incorporated in, and
15 considered to be a part of, the Salmon-Huckleberry
16 Wilderness, as designated by section 3(2) of the Or-
17 egon Wilderness Act of 1984 (16 U.S.C. 1132 note;
18 98 Stat. 273).

19 (7) LOWER WHITE RIVER WILDERNESS.—Cer-
20 tain Federal land managed by the Forest Service
21 and Bureau of Land Management, comprising ap-
22 proximately 2,870 acres, as generally depicted on the
23 map entitled “Lower White River Wilderness—
24 Lower White River” and dated April 2008, which

1 shall be known as the “Lower White River Wilder-
2 ness”.

3 **SEC. 102. RICHARD L. KOHNSTAMM MEMORIAL AREA.**

4 Certain Federal land managed by the Forest Service,
5 as generally depicted on the map entitled “Mount Hood
6 Wilderness—Richard L. Kohnstamm Memorial Area” and
7 dated April 2008, is designated as the “Richard L.
8 Kohnstamm Memorial Area”.

9 **SEC. 103. POTENTIAL WILDERNESS AREA; ADDITIONS TO**
10 **WILDERNESS AREAS.**

11 (a) ROARING RIVER POTENTIAL WILDERNESS
12 AREA.—

13 (1) IN GENERAL.—In furtherance of the pur-
14 poses of the Wilderness Act (16 U.S.C. 1131 et
15 seq.), certain Federal land managed by the Forest
16 Service, comprising approximately 900 acres identi-
17 fied as “Potential Wilderness” on the map entitled
18 “Salmon-Huckleberry Additions: Roaring River Wil-
19 derness”, dated April 2008, is designated as a po-
20 tential wilderness area.

21 (2) MANAGEMENT.—The potential wilderness
22 area designated by paragraph (1) shall be managed
23 in accordance with section 4 of the Wilderness Act
24 (16 U.S.C. 1133).

1 (3) DESIGNATION AS WILDERNESS.—On the
2 date on which the Secretary publishes in the Federal
3 Register notice that the conditions in the potential
4 wilderness area designated by paragraph (1) are
5 compatible with the Wilderness Act (16 U.S.C. 1131
6 et seq.), the potential wilderness shall be—

7 (A) designated as wilderness and as a com-
8 ponent of the National Wilderness Preservation
9 System; and

10 (B) incorporated into the Roaring River
11 Wilderness designated by section 101(6).

12 (b) ADDITION TO THE MOUNT HOOD WILDER-
13 NESS.—On completion of the land exchange under section
14 202, certain Federal land managed by the Forest Service,
15 comprising approximately 1,710 acres, as generally de-
16 picted on the map entitled “Mount Hood Wilderness—
17 Tilly Jane”, dated April 2008, shall be incorporated in,
18 and considered to be a part of, the Mount Hood Wilder-
19 ness, as designated under section 3(a) of the Wilderness
20 Act (16 U.S.C. 1132(a)) and enlarged by section 3(d) of
21 the Endangered American Wilderness Act of 1978 (16
22 U.S.C. 1132 note; 92 Stat. 43) and section 101(5).

23 (c) ADDITION TO THE SALMON-HUCKLEBERRY WIL-
24 DERNESS.—On acquisition by the United States, the ap-
25 proximately 160 acres of land identified as “Land to be

1 acquired by USFS” on the map entitled “Hunchback
2 Mountain Land Exchange, Clackamas County”, dated
3 June 2006, shall be incorporated in, and considered to be
4 a part of, the Salmon-Huckleberry Wilderness, as des-
5 ignated by section 3(2) of the Oregon Wilderness Act of
6 1984 (16 U.S.C. 1132 note; 98 Stat. 273) and enlarged
7 by section 101(7).

8 **SEC. 104. MAPS AND LEGAL DESCRIPTIONS.**

9 (a) IN GENERAL.—As soon as practicable after the
10 date of enactment of this Act, the Secretary shall file a
11 map and a legal description of each wilderness area and
12 potential wilderness area designated by this title, with—

13 (1) the Committee on Energy and Natural Re-
14 sources of the Senate; and

15 (2) the Committee on Natural Resources of the
16 House of Representatives.

17 (b) FORCE OF LAW.—The maps and legal descrip-
18 tions filed under subsection (a) shall have the same force
19 and effect as if included in this Act, except that the Sec-
20 retary may correct typographical errors in the maps and
21 legal descriptions.

22 (c) PUBLIC AVAILABILITY.—Each map and legal de-
23 scription filed under subsection (a) shall be on file and
24 available for public inspection in the appropriate offices
25 of the Forest Service and Bureau of Land Management.

1 (d) DESCRIPTION OF LAND.—The boundaries of the
2 areas designated as wilderness by section 101 that are im-
3 mediately adjacent to a utility right-of-way or a Federal
4 Energy Regulatory Commission project boundary shall be
5 100 feet from the boundary of the right-of-way or the
6 project boundary.

7 **SEC. 105. ADMINISTRATION.**

8 (a) IN GENERAL.—Subject to valid existing rights,
9 each area designated as wilderness by this title shall be
10 administered by the Secretary that has jurisdiction over
11 the land within the wilderness, in accordance with the Wil-
12 derness Act (16 U.S.C. 1131 et seq.), except that—

13 (1) any reference in that Act to the effective
14 date shall be considered to be a reference to the date
15 of enactment of this Act; and

16 (2) any reference in that Act to the Secretary
17 of Agriculture shall be considered to be a reference
18 to the Secretary that has jurisdiction over the land
19 within the wilderness.

20 (b) INCORPORATION OF ACQUIRED LAND AND IN-
21 TERESTS.—Any land within the boundary of a wilderness
22 area designated by this Act that is acquired by the United
23 States shall—

24 (1) become part of the wilderness area in which
25 the land is located; and

1 (2) be managed in accordance with this Act, the
2 Wilderness Act (16 U.S.C. 1131 et seq.), and any
3 other applicable law.

4 **SEC. 106. BUFFER ZONES.**

5 (a) IN GENERAL.—As provided in the Oregon Wilder-
6 ness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–
7 328), Congress does not intend for designation of wilder-
8 ness areas in the State under this title to lead to the cre-
9 ation of protective perimeters or buffer zones around each
10 wilderness area.

11 (b) ACTIVITIES OR USES UP TO BOUNDARIES.—The
12 fact that nonwilderness activities or uses can be seen or
13 heard from within a wilderness area shall not, of itself,
14 preclude the activities or uses up to the boundary of the
15 wilderness area.

16 **SEC. 107. FISH AND WILDLIFE.**

17 Nothing in this Act affects the jurisdiction or respon-
18 sibilities of the State with respect to fish and wildlife.

19 **SEC. 108. FIRE, INSECTS, AND DISEASES.**

20 As provided in section 4(d)(1) of the Wilderness Act
21 (16 U.S.C. 1133(d)(1)), within the wilderness areas des-
22 ignated by this Act, the Secretary that has jurisdiction
23 over the land within the wilderness (referred to in this sec-
24 tion as the “Secretary”) may take such measures as are
25 necessary to control fire, insects, and diseases, subject to

1 such terms and conditions as the Secretary determines to
 2 be desirable and appropriate.

3 **SEC. 109. WITHDRAWAL.**

4 Subject to valid rights in existence on the date of en-
 5 actment of this Act, the Federal land designated as wilder-
 6 ness by this subtitle is withdrawn from all forms of—

7 (1) entry, appropriation, or disposal under the
 8 public land laws;

9 (2) location, entry, and patent under the mining
 10 laws; and

11 (3) disposition under all laws pertaining to min-
 12 eral and geothermal leasing or mineral materials.

13 **Subtitle B—Designation of Streams**
 14 **for Wild and Scenic River Pro-**
 15 **tection in the Mount Hood Area**

16 **SEC. 111. WILD AND SCENIC RIVER DESIGNATIONS, MOUNT**
 17 **HOOD NATIONAL FOREST.**

18 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-
 19 nic Rivers Act (16 U.S.C. 1274(a)) is amended—

20 (1) by redesignating paragraph (167) (relating
 21 to the Musconetcong River, New Jersey) as para-
 22 graph (169);

23 (2) by designating the undesignated paragraph
 24 relating to the White Salmon River, Washington, as
 25 paragraph (167);

1 (3) by designating the undesignated paragraph
2 relating to the Black Butte River, California, as
3 paragraph (168); and

4 (4) by adding at the end the following:

5 “(170) SOUTH FORK CLACKAMAS RIVER.—The
6 4.2-mile segment of the South Fork Clackamas
7 River from its confluence with the East Fork of the
8 South Fork Clackamas to its confluence with the
9 Clackamas River, to be administered by the Sec-
10 retary of Agriculture as a wild river.

11 “(171) EAGLE CREEK.—The 8.3-mile segment
12 of Eagle Creek from its headwaters to the Mount
13 Hood National Forest boundary, to be administered
14 by the Secretary of Agriculture as a wild river.

15 “(172) MIDDLE FORK HOOD RIVER.—The 3.7-
16 mile segment of the Middle Fork Hood River from
17 the confluence of Clear and Coe Branches to the
18 north section line of section 11, township 1 south,
19 range 9 east, to be administered by the Secretary of
20 Agriculture as a scenic river.

21 “(173) SOUTH FORK ROARING RIVER.—The
22 4.6-mile segment of the South Fork Roaring River
23 from its headwaters to its confluence with Roaring
24 River, to be administered by the Secretary of Agri-
25 culture as a wild river.

1 “(174) ZIG ZAG RIVER.—The 4.3-mile segment
2 of the Zig Zag River from its headwaters to the
3 Mount Hood Wilderness boundary, to be adminis-
4 tered by the Secretary of Agriculture as a wild river.

5 “(175) FIFTEENMILE CREEK.—

6 “(A) IN GENERAL.—The 11.1-mile seg-
7 ment of Fifteenmile Creek from its source at
8 Senecal Spring to the southern edge of the
9 northwest quarter of the northwest quarter of
10 section 20, township 2 south, range 12 east, to
11 be administered by the Secretary of Agriculture
12 in the following classes:

13 “(i) The 2.6-mile segment from its
14 source at Senecal Spring to the Badger
15 Creek Wilderness boundary, as a wild
16 river.

17 “(ii) The 0.4-mile segment from the
18 Badger Creek Wilderness boundary to the
19 point 0.4 miles downstream, as a scenic
20 river.

21 “(iii) The 7.9-mile segment from the
22 point 0.4 miles downstream of the Badger
23 Creek Wilderness boundary to the western
24 edge of section 20, township 2 south,
25 range 12 east as a wild river.

1 “(iv) The 0.2-mile segment from the
2 western edge of section 20, township 2
3 south, range 12 east, to the southern edge
4 of the northwest quarter of the northwest
5 quarter of section 20, township 2 south,
6 range 12 east as a scenic river.

7 “(B) INCLUSIONS.—Notwithstanding sec-
8 tion 3(b), the lateral boundaries of both the
9 wild river area and the scenic river area along
10 Fifteenmile Creek shall include an average of
11 not more than 640 acres per mile measured
12 from the ordinary high water mark on both
13 sides of the river.

14 “(176) EAST FORK HOOD RIVER.—The 13.5-
15 mile segment of the East Fork Hood River from Or-
16 egon State Highway 35 to the Mount Hood National
17 Forest boundary, to be administered by the Sec-
18 retary of Agriculture as a recreational river.

19 “(177) COLLAWASH RIVER.—The 17.8-mile
20 segment of the Collawash River from the headwaters
21 of the East Fork Collawash to the confluence of the
22 mainstream of the Collawash River with the
23 Clackamas River, to be administered by the Sec-
24 retary of Agriculture in the following classes:

1 “(A) The 11.0-mile segment from the
2 headwaters of the East Fork Collawash River
3 to Buckeye Creek, as a scenic river.

4 “(B) The 6.8-mile segment from Buckeye
5 Creek to the Clackamas River, as a recreational
6 river.

7 “(178) FISH CREEK.—The 13.5-mile segment
8 of Fish Creek from its headwaters to the confluence
9 with the Clackamas River, to be administered by the
10 Secretary of Agriculture as a recreational river.”.

11 (b) EFFECT.—The amendments made by subsection
12 (a) do not affect valid existing water rights.

13 **SEC. 112. PROTECTION FOR HOOD RIVER, OREGON.**

14 Section 13(a)(4) of the “Columbia River Gorge Na-
15 tional Scenic Area Act” (16 U.S.C. 544k(a)(4)) is amend-
16 ed by striking “for a period not to exceed twenty years
17 from the date of enactment of this Act,”.

18 **Subtitle C—Mount Hood National**
19 **Recreation Area**

20 **SEC. 121. MOUNT HOOD NATIONAL RECREATION AREA.**

21 (a) DESIGNATION.—To provide for the protection,
22 preservation, and enhancement of recreational, ecological,
23 scenic, cultural, watershed, and fish and wildlife values,
24 there is established the Mount Hood National Recreation
25 Area within the Mount Hood National Forest.

1 (b) BOUNDARY.—The Mount Hood National Recre-
2 ation Area shall consist of certain Federal land managed
3 by the Forest Service and Bureau of Land Management,
4 comprising approximately 34,550 acres, as generally de-
5 picted on the maps entitled “National Recreation Areas—
6 Mount Hood NRA”, “National Recreation Areas—
7 Fifteenmile Creek NRA”, and “National Recreation
8 Areas—Shellrock Mountain”, all dated April 2008.

9 (c) MAP AND LEGAL DESCRIPTION.—

10 (1) SUBMISSION OF LEGAL DESCRIPTION.—As
11 soon as practicable after the date of enactment of
12 this Act, the Secretary shall file a map and a legal
13 description of the Mount Hood National Recreation
14 Area with—

15 (A) the Committee on Energy and Natural
16 Resources of the Senate; and

17 (B) the Committee on Natural Resources
18 of the House of Representatives.

19 (2) FORCE OF LAW.—The map and legal de-
20 scription filed under paragraph (1) shall have the
21 same force and effect as if included in this Act, ex-
22 cept that the Secretary may correct typographical
23 errors in the map and the legal description.

24 (3) PUBLIC AVAILABILITY.—The map and legal
25 description filed under paragraph (1) shall be on file

1 and available for public inspection in the appropriate
2 offices of the Forest Service.

3 (d) ADMINISTRATION.—

4 (1) IN GENERAL.—The Secretary shall—

5 (A) administer the Mount Hood National
6 Recreation Area—

7 (i) in accordance with the laws (in-
8 cluding regulations) and rules applicable to
9 the National Forest System; and

10 (ii) consistent with the purposes de-
11 scribed in subsection (a); and

12 (B) only allow uses of the Mount Hood
13 National Recreation Area that are consistent
14 with the purposes described in subsection (a).

15 (2) APPLICABLE LAW.—Any portion of a wil-
16 derness area designated by subtitle A that is located
17 within the Mount Hood National Recreation Area
18 shall be administered in accordance with the Wilder-
19 ness Act (16 U.S.C. 1131 et seq.).

20 (e) TIMBER.—The cutting, sale, or removal of timber
21 within the Mount Hood National Recreation Area may be
22 permitted—

23 (1) to the extent necessary to improve the
24 health of the forest in a manner that—

1 (A) maximizes the retention of large
2 trees—

3 (i) as appropriate to the forest type;

4 and

5 (ii) to the extent that the trees pro-
6 mote stands that are fire-resilient and
7 healthy;

8 (B) improves the habitats of threatened,
9 endangered, or sensitive species; or

10 (C) maintains or restores the composition
11 and structure of the ecosystem by reducing the
12 risk of uncharacteristic wildfire;

13 (2) to accomplish an approved management ac-
14 tivity in furtherance of the purposes established by
15 this subtitle, if the cutting, sale, or removal of tim-
16 ber is incidental to the management activity; or

17 (3) for de minimus personal or administrative
18 use within the Mount Hood National Recreation
19 Area, where such use will not impair the purposes
20 established by this subtitle.

21 (f) ROAD CONSTRUCTION.—No new or temporary
22 roads shall be constructed or reconstructed within the
23 Mount Hood National Recreation Area except as nec-
24 essary—

1 (1) to protect the health and safety of individ-
2 uals in cases of an imminent threat of flood, fire, or
3 any other catastrophic event that, without interven-
4 tion, would cause the loss of life or property;

5 (2) to conduct environmental cleanup required
6 by the United States;

7 (3) to allow for the exercise of reserved or out-
8 standing rights provided for by a statute or treaty;

9 (4) to prevent irreparable resource damage by
10 an existing road; or

11 (5) to rectify a hazardous road condition.

12 (g) WITHDRAWAL.—Subject to valid existing rights,
13 all Federal land within the Mount Hood National Recre-
14 ation Area is withdrawn from—

15 (1) all forms of entry, appropriation, or disposal
16 under the public land laws;

17 (2) location, entry, and patent under the mining
18 laws; and

19 (3) disposition under all laws relating to min-
20 eral and geothermal leasing.

21 (h) TRANSFER OF ADMINISTRATIVE JURISDIC-
22 TION.—

23 (1) IN GENERAL.—Administrative jurisdiction
24 over the Federal land described in paragraph (2) is

1 transferred from the Bureau of Land Management
2 to the Forest Service.

3 (2) DESCRIPTION OF LAND.—The land referred
4 to in paragraph (1) is the approximately 130 acres
5 of land administered by the Bureau of Land Man-
6 agement within or adjacent to the Mount Hood Na-
7 tional Recreation Area that is identified as “BLM
8 Lands” on the map entitled “National Recreation
9 Areas—Shellrock Mountain”, dated April 2008.

10 **Subtitle D—Protections for Crystal**
11 **Springs, Upper Big Bottom, and**
12 **Cultus Creek**

13 **SEC. 131. CRYSTAL SPRINGS WATERSHED SPECIAL RE-**
14 **SOURCES MANAGEMENT UNIT.**

15 (a) ESTABLISHMENT.—

16 (1) IN GENERAL.—On completion of the land
17 exchange under section 202, there shall be estab-
18 lished a special resources management unit in the
19 State consisting of certain Federal land managed by
20 the Forest Service, as generally depicted on the map
21 entitled “Crystal Springs Watershed Special Re-
22 sources Management Unit”, dated June 2006 (re-
23 ferred to in this section as the “map”), to be known
24 as the “Crystal Springs Watershed Special Re-

sources Management Unit” (referred to in this section as the “Management Unit”).

(2) EXCLUSION OF CERTAIN LAND.—The Management Unit does not include any National Forest System land otherwise covered by paragraph (1) that is designated as wilderness by subtitle A.

(3) WITHDRAWAL.—

(A) IN GENERAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as the Management Unit is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(B) EXCEPTION.—Subparagraph (A)(i) does not apply to the parcel of land generally depicted as “HES 151” on the map.

(b) PURPOSES.—The purposes of the Management Unit are—

(1) to ensure the protection of the quality and quantity of the Crystal Springs watershed as a clean

1 drinking water source for the residents of Hood
2 River County, Oregon; and

3 (2) to allow visitors to enjoy the special scenic,
4 natural, cultural, and wildlife values of the Crystal
5 Springs watershed.

6 (c) MAP AND LEGAL DESCRIPTION.—

7 (1) SUBMISSION OF LEGAL DESCRIPTION.—As
8 soon as practicable after the date of enactment of
9 this Act, the Secretary shall file a map and a legal
10 description of the Management Unit with—

11 (A) the Committee on Energy and Natural
12 Resources of the Senate; and

13 (B) the Committee on Natural Resources
14 of the House of Representatives.

15 (2) FORCE OF LAW.—The map and legal de-
16 scription filed under paragraph (1) shall have the
17 same force and effect as if included in this Act, ex-
18 cept that the Secretary may correct typographical
19 errors in the map and legal description.

20 (3) PUBLIC AVAILABILITY.—The map and legal
21 description filed under paragraph (1) shall be on file
22 and available for public inspection in the appropriate
23 offices of the Forest Service.

24 (d) ADMINISTRATION.—

25 (1) IN GENERAL.—The Secretary shall—

1 (A) administer the Management Unit—

2 (i) in accordance with the laws (in-
3 cluding regulations) and rules applicable to
4 units of the National Forest System; and
5 (ii) consistent with the purposes de-
6 scribed in subsection (b); and

7 (B) only allow uses of the Management
8 Unit that are consistent with the purposes de-
9 scribed in subsection (b).

10 (2) FUEL REDUCTION IN PROXIMITY TO IM-
11 PROVEMENTS AND PRIMARY PUBLIC ROADS.—To
12 protect the water quality, water quantity, and scenic,
13 cultural, natural, and wildlife values of the Manage-
14 ment Unit, the Secretary may conduct fuel reduction
15 and forest health management treatments to main-
16 tain and restore fire-resilient forest structures con-
17 taining late successional forest structure character-
18 ized by large trees and multistoried canopies, as eco-
19 logically appropriate, on National Forest System
20 land in the Management Unit—

21 (A) in any area located not more than 400
22 feet from structures located on—

23 (i) National Forest System land; or

24 (ii) private land adjacent to National
25 Forest System land;

1 (B) in any area located not more than 400
2 feet from the Cooper Spur Road, the Cloud Cap
3 Road, or the Cooper Spur Ski Area Loop Road;
4 and

5 (C) on any other National Forest System
6 land in the Management Unit, with priority
7 given to activities that restore previously har-
8 vested stands, including the removal of logging
9 slash, smaller diameter material, and ladder
10 fuels.

11 (3) PROHIBITED ACTIVITIES.—Subject to valid
12 existing rights, the following activities shall be pro-
13 hibited on National Forest System land in the Man-
14 agement Unit:

15 (A) New road construction or renovation of
16 existing non-System roads, except as necessary
17 to protect public health and safety.

18 (B) Projects undertaken for the purpose of
19 harvesting commercial timber (other than ac-
20 tivities relating to the harvest of merchantable
21 products that are byproducts of activities con-
22 ducted to further the purposes described in sub-
23 section (b)).

24 (C) Commercial livestock grazing.

1 (D) The placement of new fuel storage
2 tanks.

3 (E) Except to the extent necessary to fur-
4 ther the purposes described in subsection (b),
5 the application of any toxic chemicals (other
6 than fire retardants), including pesticides,
7 rodenticides, or herbicides.

8 (e) FOREST ROAD CLOSURES.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the Secretary may provide for the closure
11 or gating to the general public of any Forest Service
12 road within the Management Unit.

13 (2) EXCEPTION.—Nothing in this section re-
14 quires the Secretary to close the road commonly
15 known as “Cloud Cap Road”, which shall be admin-
16 istered in accordance with otherwise applicable law.

17 (f) PRIVATE LAND.—

18 (1) EFFECT.—Nothing in this section affects
19 the use of, or access to, any private property within
20 the area identified on the map as the “Crystal
21 Springs Zone of Contribution” by—

22 (A) the owners of the private property; and

23 (B) guests to the private property.

24 (2) COOPERATION.—The Secretary is encour-
25 aged to work with private landowners who have

1 agreed to cooperate with the Secretary to further the
2 purposes of this section.

3 (g) ACQUISITION OF LAND.—

4 (1) IN GENERAL.—The Secretary may acquire
5 from willing landowners any land located within the
6 area identified on the map as the “Crystal Springs
7 Zone of Contribution”.

8 (2) INCLUSION IN MANAGEMENT UNIT.—On the
9 date of acquisition, any land acquired under para-
10 graph (1) shall be incorporated in, and be managed
11 as part of, the Management Unit.

12 **SEC. 132. PROTECTIONS FOR UPPER BIG BOTTOM AND**
13 **CULTUS CREEK.**

14 (a) IN GENERAL.—The Secretary shall manage the
15 Federal land administered by the Forest Service described
16 in subsection (b) in a manner that preserves the natural
17 and primitive character of the land for recreational, scenic,
18 and scientific use.

19 (b) DESCRIPTION OF LAND.—The Federal land re-
20 ferred to in subsection (a) is—

21 (1) the approximately 1,580 acres, as generally
22 depicted on the map entitled “Upper Big Bottom”,
23 dated April 2008; and

24 (2) the approximately 280 acres identified as
25 “Cultus Creek” on the map entitled “Clackamas

1 Wilderness—South Fork Clackamas”, dated April
2 2008.

3 (c) MAPS AND LEGAL DESCRIPTIONS.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall file maps and legal descriptions of the Federal
7 land described in subsection (b) with—

8 (A) the Committee on Energy and Natural
9 Resources of the Senate; and

10 (B) the Committee on Natural Resources
11 of the House of Representatives.

12 (2) FORCE OF LAW.—The maps and legal de-
13 scriptions filed under paragraph (1) shall have the
14 same force and effect as if included in this Act, ex-
15 cept that the Secretary may correct typographical
16 errors in the maps and legal descriptions.

17 (3) PUBLIC AVAILABILITY.—Each map and
18 legal description filed under paragraph (1) shall be
19 on file and available for public inspection in the ap-
20 propriate offices of the Forest Service.

21 (d) USE OF LAND.—

22 (1) IN GENERAL.—Subject to valid existing
23 rights, with respect to the Federal land described in
24 subsection (b), the Secretary shall only allow uses

1 that are consistent with the purposes identified in
2 subsection (a).

3 (2) PROHIBITED USES.—The following shall be
4 prohibited on the Federal land described in sub-
5 section (b):

6 (A) Permanent roads.

7 (B) Commercial enterprises.

8 (C) Except as necessary to meet the min-
9 imum requirements for the administration of
10 the Federal land and to protect public health
11 and safety—

12 (i) the use of motor vehicles; or

13 (ii) the establishment of temporary
14 roads.

15 (e) WITHDRAWAL.—Subject to valid existing rights,
16 the Federal land described in subsection (b) is withdrawn
17 from—

18 (1) all forms of entry, appropriation, or disposal
19 under the public land laws;

20 (2) location, entry, and patent under the mining
21 laws; and

22 (3) disposition under all laws relating to min-
23 eral and geothermal leasing.

1 **TITLE II—LAND EXCHANGES**
2 **Subtitle A—Cooper Spur-**
3 **Government Camp Land Exchange**

4 **SEC. 201. DEFINITIONS.**

5 In this subtitle:

6 (1) COUNTY.—The term “County” means Hood
7 River County, Oregon.

8 (2) EXCHANGE MAP.—The term “exchange
9 map” means the map entitled “Cooper Spur/Govern-
10 ment Camp Land Exchange”, dated June 2006.

11 (3) FEDERAL LAND.—The term “Federal land”
12 means the approximately 120 acres of National For-
13 est System land in the Mount Hood National Forest
14 in Government Camp, Clackamas County, Oregon,
15 identified as “USFS Land to be Conveyed” on the
16 exchange map.

17 (4) MT. HOOD MEADOWS.—The term “Mt.
18 Hood Meadows” means the Mt. Hood Meadows Or-
19 egon, Limited Partnership.

20 (5) NON-FEDERAL LAND.—The term “non-Fed-
21 eral land” means—

22 (A) the parcel of approximately 770 acres
23 of private land at Cooper Spur identified as
24 “Land to be acquired by USFS” on the ex-
25 change map; and

1 (B) any buildings, furniture, fixtures, and
 2 equipment at the Inn at Cooper Spur and the
 3 Cooper Spur Ski Area covered by an appraisal
 4 described in section 202(d).

5 **SEC. 202. COOPER SPUR-GOVERNMENT CAMP LAND EX-**
 6 **CHANGE.**

7 (a) CONVEYANCE OF LAND.—Subject to the provi-
 8 sions of this section, if Mt. Hood Meadows offers to convey
 9 to the United States all right, title, and interest of Mt.
 10 Hood Meadows in and to the non-Federal land, the Sec-
 11 retary shall convey to Mt. Hood Meadows all right, title,
 12 and interest of the United States in and to the Federal
 13 land (other than any easements reserved under subsection
 14 (g)), subject to valid existing rights.

15 (b) COMPLIANCE WITH EXISTING LAW.—Except as
 16 otherwise provided in this section, the Secretary shall
 17 carry out the land exchange under this section in accord-
 18 ance with section 206 of the Federal Land Policy and
 19 Management Act of 1976 (43 U.S.C. 1716).

20 (c) CONDITIONS ON ACCEPTANCE.—

21 (1) TITLE.—As a condition of the land ex-
 22 change under this section, title to the non-Federal
 23 land to be acquired by the Secretary under this sec-
 24 tion shall be acceptable to the Secretary.

1 (2) TERMS AND CONDITIONS.—The conveyance
2 of the Federal land and non-Federal land shall be
3 subject to such terms and conditions as the Sec-
4 retary may require.

5 (d) APPRAISALS.—

6 (1) IN GENERAL.—As soon as practicable after
7 the date of enactment of this Act, the Secretary and
8 Mt. Hood Meadows shall select an appraiser to con-
9 duct an appraisal of the Federal land and non-Fed-
10 eral land.

11 (2) REQUIREMENTS.—An appraisal under para-
12 graph (1) shall be conducted in accordance with na-
13 tionally recognized appraisal standards, including—

14 (A) the Uniform Appraisal Standards for
15 Federal Land Acquisitions; and

16 (B) the Uniform Standards of Professional
17 Appraisal Practice.

18 (e) SURVEYS.—

19 (1) IN GENERAL.—The exact acreage and legal
20 description of the Federal land and non-Federal land
21 shall be determined by surveys approved by the Sec-
22 retary.

23 (2) COSTS.—The responsibility for the costs of
24 any surveys conducted under paragraph (1), and any
25 other administrative costs of carrying out the land

1 exchange, shall be determined by the Secretary and
2 Mt. Hood Meadows.

3 (f) DEADLINE FOR COMPLETION OF LAND EX-
4 CHANGE.—It is the intent of Congress that the land ex-
5 change under this section shall be completed not later than
6 16 months after the date of enactment of this Act.

7 (g) RESERVATION OF EASEMENTS.—As a condition
8 of the conveyance of the Federal land, the Secretary shall
9 reserve—

10 (1) a conservation easement to the Federal land
11 to protect existing wetland, as identified by the Or-
12 egon Department of State Lands, that allows equiv-
13 alent wetland mitigation measures to compensate for
14 minor wetland encroachments necessary for the or-
15 derly development of the Federal land; and

16 (2) a trail easement to the Federal land that al-
17 lows—

18 (A) nonmotorized use by the public of ex-
19 isting trails;

20 (B) roads, utilities, and infrastructure fa-
21 cilities to cross the trails; and

22 (C) improvement or relocation of the trails
23 to accommodate development of the Federal
24 land.

1 **Subtitle B—Port of Cascade Locks**
2 **Land Exchange**

3 **SEC. 211. DEFINITIONS.**

4 In this subtitle:

5 (1) EXCHANGE MAP.—The term “exchange
6 map” means the map entitled “Port of Cascade
7 Locks/Pacific Crest National Scenic Trail Land Ex-
8 change”, dated June 2006.

9 (2) FEDERAL LAND.—The term “Federal land”
10 means the parcel of land consisting of approximately
11 10 acres of National Forest System land in the Co-
12 lumbia River Gorge National Scenic Area identified
13 as “USFS Land to be conveyed” on the exchange
14 map.

15 (3) NON-FEDERAL LAND.—The term “non-Fed-
16 eral land” means the parcels of land consisting of
17 approximately 40 acres identified as “Land to be ac-
18 quired by USFS” on the exchange map.

19 (4) PORT.—The term “Port” means the Port of
20 Cascade Locks, Cascade Locks, Oregon.

21 **SEC. 212. LAND EXCHANGE, PORT OF CASCADE LOCKS-PA-**
22 **CIFIC CREST NATIONAL SCENIC TRAIL.**

23 (a) CONVEYANCE OF LAND.—Subject to the provi-
24 sions of this section, if the Port offers to convey to the
25 United States all right, title, and interest of the Port in

1 and to the non-Federal land, the Secretary shall, subject
2 to valid existing rights, convey to the Port all right, title,
3 and interest of the United States in and to the Federal
4 land.

5 (b) COMPLIANCE WITH EXISTING LAW.—Except as
6 otherwise provided in this section, the Secretary shall
7 carry out the land exchange under this section in accord-
8 ance with section 206 of the Federal Land Policy and
9 Management Act of 1976 (43 U.S.C. 1716).

10 (c) CONDITIONS ON ACCEPTANCE.—

11 (1) TITLE.—As a condition of the land ex-
12 change under this section, title to the non-Federal
13 land to be acquired by the Secretary under this sec-
14 tion shall be acceptable to the Secretary.

15 (2) TERMS AND CONDITIONS.—The conveyance
16 of the Federal land and non-Federal land shall be
17 subject to such terms and conditions as the Sec-
18 retary may require.

19 (d) APPRAISALS.—

20 (1) IN GENERAL.—As soon as practicable after
21 the date of enactment of this Act, the Secretary
22 shall select an appraiser to conduct an appraisal of
23 the Federal land and non-Federal land.

1 (2) REQUIREMENTS.—An appraisal under para-
2 graph (1) shall be conducted in accordance with na-
3 tionally recognized appraisal standards, including—

4 (A) the Uniform Appraisal Standards for
5 Federal Land Acquisitions; and

6 (B) the Uniform Standards of Professional
7 Appraisal Practice.

8 (e) SURVEYS.—

9 (1) IN GENERAL.—The exact acreage and legal
10 description of the Federal land and non-Federal land
11 shall be determined by surveys approved by the Sec-
12 retary.

13 (2) COSTS.—The responsibility for the costs of
14 any surveys conducted under paragraph (1), and any
15 other administrative costs of carrying out the land
16 exchange, shall be determined by the Secretary and
17 the Port.

18 (f) DEADLINE FOR COMPLETION OF LAND EX-
19 CHANGE.—It is the intent of Congress that the land ex-
20 change under this section shall be completed not later than
21 16 months after the date of enactment of this Act.

1 **Subtitle C—Hunchback Mountain**
2 **Land Exchange and Boundary**
3 **Adjustment**

4 **SEC. 221. DEFINITIONS.**

5 In this subtitle:

6 (1) COUNTY.—The term “County” means
7 Clackamas County, Oregon.

8 (2) EXCHANGE MAP.—The term “exchange
9 map” means the map entitled “Hunchback Moun-
10 tain Land Exchange, Clackamas County”, dated
11 June 2006.

12 (3) FEDERAL LAND.—The term “Federal land”
13 means the parcel of land consisting of approximately
14 160 acres of National Forest System land in the
15 Mount Hood National Forest identified as “USFS
16 Land to be Conveyed” on the exchange map.

17 (4) NON-FEDERAL LAND.—The term “non-Fed-
18 eral land” means the parcel of land consisting of ap-
19 proximately 160 acres identified as “Land to be ac-
20 quired by USFS” on the exchange map.

21 **SEC. 222. HUNCHBACK MOUNTAIN LAND EXCHANGE.**

22 (a) CONVEYANCE OF LAND.—Subject to the provi-
23 sions of this section, if the County offers to convey to the
24 United States all right, title, and interest of the County
25 in and to the non-Federal land, the Secretary shall, sub-

1 ject to valid existing rights, convey to the County all right,
2 title, and interest of the United States in and to the Fed-
3 eral land.

4 (b) COMPLIANCE WITH EXISTING LAW.—Except as
5 otherwise provided in this section, the Secretary shall
6 carry out the land exchange under this section in accord-
7 ance with section 206 of the Federal Land Policy and
8 Management Act of 1976 (43 U.S.C. 1716).

9 (c) CONDITIONS ON ACCEPTANCE.—

10 (1) TITLE.—As a condition of the land ex-
11 change under this section, title to the non-Federal
12 land to be acquired by the Secretary under this sec-
13 tion shall be acceptable to the Secretary.

14 (2) TERMS AND CONDITIONS.—The conveyance
15 of the Federal land and non-Federal land shall be
16 subject to such terms and conditions as the Sec-
17 retary may require.

18 (d) APPRAISALS.—

19 (1) IN GENERAL.—As soon as practicable after
20 the date of enactment of this Act, the Secretary
21 shall select an appraiser to conduct an appraisal of
22 the Federal land and non-Federal land.

23 (2) REQUIREMENTS.—An appraisal under para-
24 graph (1) shall be conducted in accordance with na-
25 tionally recognized appraisal standards, including—

1 (A) the Uniform Appraisal Standards for
2 Federal Land Acquisitions; and

3 (B) the Uniform Standards of Professional
4 Appraisal Practice.

5 (e) SURVEYS.—

6 (1) IN GENERAL.—The exact acreage and legal
7 description of the Federal land and non-Federal land
8 shall be determined by surveys approved by the Sec-
9 retary.

10 (2) COSTS.—The responsibility for the costs of
11 any surveys conducted under paragraph (1), and any
12 other administrative costs of carrying out the land
13 exchange, shall be determined by the Secretary and
14 the County.

15 (f) DEADLINE FOR COMPLETION OF LAND EX-
16 CHANGE.—It is the intent of Congress that the land ex-
17 change under this section shall be completed not later than
18 16 months after the date of enactment of this Act.

19 **SEC. 223. BOUNDARY ADJUSTMENT.**

20 (a) IN GENERAL.—The boundary of the Mount Hood
21 National Forest shall be adjusted to incorporate—

22 (1) any land conveyed to the United States
23 under section 222; and

24 (2) the land transferred to the Forest Service
25 by section 121(h)(1).

1 (b) ADDITIONS TO THE NATIONAL FOREST SYS-
 2 TEM.—The Secretary shall administer the land described
 3 in subsection (a)—

4 (1) in accordance with—

5 (A) the Act of March 1, 1911 (commonly
 6 known as the “Weeks Law”) (16 U.S.C. 480 et
 7 seq.); and

8 (B) any laws (including regulations) appli-
 9 cable to the National Forest System; and

10 (2) subject to sections 103(c) and 121(d), as
 11 applicable.

12 (c) LAND AND WATER CONSERVATION FUND.—For
 13 the purposes of section 7 of the Land and Water Con-
 14 servation Fund Act of 1965 (16 U.S.C. 460l–9), the
 15 boundaries of the Mount Hood National Forest modified
 16 by this Act shall be considered to be the boundaries of
 17 the Mount Hood National Forest in existence as of Janu-
 18 ary 1, 1965.

19 **Subtitle D—Conditions on** 20 **Development of Federal Land**

21 **SEC. 231. IMPROVED NATURAL DISASTER PREPAREDNESS.**

22 (a) REQUIREMENTS APPLICABLE TO THE CONVEY-
 23 ANCE OF FEDERAL LAND.—

24 (1) IN GENERAL.—As a condition of each of the
 25 conveyances of Federal land under this title, the

1 Secretary shall include in the deed of conveyance a
2 requirement that applicable construction activities
3 and alterations shall be conducted in accordance
4 with—

5 (A) nationally recognized building and
6 property maintenance codes; and

7 (B) nationally recognized codes for devel-
8 opment in the wildland-urban interface and
9 wildfire hazard mitigation.

10 (2) APPLICABLE LAW.—To the maximum ex-
11 tent practicable, the codes required under paragraph
12 (1) shall be consistent with the nationally recognized
13 codes adopted or referenced by the State or political
14 subdivisions of the State.

15 (3) ENFORCEMENT.—The requirements under
16 paragraph (1) may be enforced by the same entities
17 otherwise enforcing codes, ordinances, and stand-
18 ards.

19 (b) COMPLIANCE WITH CODES ON FEDERAL
20 LAND.—The Secretary shall ensure that applicable con-
21 struction activities and alterations undertaken or per-
22 mitted by the Secretary on National Forest System land
23 in the Mount Hood National Forest are conducted in ac-
24 cordance with—

1 (1) nationally recognized building and property
2 maintenance codes; and

3 (2) nationally recognized codes for development
4 in the wildland-urban interface development and
5 wildfire hazard mitigation.

6 (c) EFFECT ON ENFORCEMENT BY STATES AND PO-
7 LITICAL SUBDIVISIONS.—Nothing in this section alters or
8 limits the power of the State or a political subdivision of
9 the State to implement or enforce any law (including regu-
10 lations), rule, or standard relating to development or fire
11 prevention and control.

12 **TITLE III—TRIBAL PROVISIONS;**
13 **PLANNING AND STUDIES**

14 **SEC. 301. TRANSPORTATION PLAN.**

15 (a) IN GENERAL.—The Secretary shall seek to par-
16 ticipate in the development of an integrated, multimodal
17 transportation plan developed by the Oregon Department
18 of Transportation for the Mount Hood region to achieve
19 comprehensive solutions to transportation challenges in
20 the Mount Hood region—

21 (1) to promote appropriate economic develop-
22 ment;

23 (2) to preserve the landscape of the Mount
24 Hood region; and

25 (3) to enhance public safety.

1 (b) ISSUES TO BE ADDRESSED.—In participating in
2 the development of the transportation plan under sub-
3 section (a), the Secretary shall seek to address—

4 (1) transportation alternatives between and
5 among recreation areas and gateway communities
6 that are located within the Mount Hood region;

7 (2) establishing park-and-ride facilities that
8 shall be located at gateway communities;

9 (3) establishing intermodal transportation cen-
10 ters to link public transportation, parking, and
11 recreation destinations;

12 (4) creating a new interchange on Oregon State
13 Highway 26 located adjacent to or within Govern-
14 ment Camp;

15 (5) designating, maintaining, and improving al-
16 ternative routes using Forest Service or State roads
17 for—

18 (A) providing emergency routes; or

19 (B) improving access to, and travel within,
20 the Mount Hood region;

21 (6) the feasibility of establishing—

22 (A) a gondola connection that—

23 (i) connects Timberline Lodge to Gov-
24 ernment Camp; and

1 (ii) is located in close proximity to the
2 site of the historic gondola corridor; and

3 (B) an intermodal transportation center to
4 be located in close proximity to Government
5 Camp;

6 (7) burying power lines located in, or adjacent
7 to, the Mount Hood National Forest along Inter-
8 state 84 near the City of Cascade Locks, Oregon;
9 and

10 (8) creating mechanisms for funding the imple-
11 mentation of the transportation plan under sub-
12 section (a), including—

13 (A) funds provided by the Federal Govern-
14 ment;

15 (B) public-private partnerships;

16 (C) incremental tax financing; and

17 (D) other financing tools that link trans-
18 portation infrastructure improvements with de-
19 velopment.

20 **SEC. 302. MOUNT HOOD NATIONAL FOREST STEWARDSHIP**
21 **STRATEGY.**

22 (a) IN GENERAL.—The Secretary shall prepare a re-
23 port on, and implementation schedule for, the vegetation
24 management strategy (including recommendations for bio-

1 mass utilization) for the Mount Hood National Forest
2 being developed by the Forest Service.

3 (b) SUBMISSION TO CONGRESS.—

4 (1) REPORT.—Not later than 1 year after the
5 date of enactment of this Act, the Secretary shall
6 submit the report to—

7 (A) the Committee on Energy and Natural
8 Resources of the Senate; and

9 (B) the Committee on Natural Resources
10 of the House of Representatives.

11 (2) IMPLEMENTATION SCHEDULE.—Not later
12 than 1 year after the date on which the vegetation
13 management strategy referred to in subsection (a) is
14 completed, the Secretary shall submit the implemen-
15 tation schedule to—

16 (A) the Committee on Energy and Natural
17 Resources of the Senate; and

18 (B) the Committee on Natural Resources
19 of the House of Representatives.

20 **SEC. 303. LOCAL AND TRIBAL RELATIONSHIPS.**

21 (a) MANAGEMENT PLAN.—

22 (1) IN GENERAL.—The Secretary, in consulta-
23 tion with Indian tribes with treaty-reserved gath-
24 ering rights on land encompassed by the Mount
25 Hood National Forest and in a manner consistent

1 with the memorandum of understanding entered into
2 between the Department of Agriculture, the Bureau
3 of Land Management, the Bureau of Indian Affairs,
4 and the Confederated Tribes of the Warm Springs
5 Reservation of Oregon, dated April 25, 2003, as
6 modified, shall develop and implement a manage-
7 ment plan that meets the cultural foods obligations
8 of the United States under applicable treaties, in-
9 cluding the Treaty with the Tribes of Middle Oregon
10 of June 25, 1855 (12 Stat. 963).

11 (2) EFFECT.—This subsection shall be consid-
12 ered to be consistent with, and is intended to imple-
13 ment, the gathering rights reserved by the treaty de-
14 scribed in paragraph (1).

15 (b) SAVINGS PROVISIONS REGARDING RELATIONS
16 WITH INDIAN TRIBES.—

17 (1) TREATY RIGHTS.—Nothing in this Act al-
18 ters, modifies, enlarges, diminishes, or extinguishes
19 the treaty rights of any Indian tribe, including the
20 off-reservation reserved rights established by the
21 Treaty with the Tribes of Middle Oregon of June
22 25, 1855 (12 Stat. 963).

23 (2) TRIBAL LAND.—Nothing in this Act affects
24 land held in trust by the Secretary of the Interior
25 for Indian tribes or individual members of Indian

1 tribes or other land acquired by the Army Corps of
2 Engineers and administered by the Secretary of the
3 Interior for the benefit of Indian tribes and indi-
4 vidual members of Indian tribes.

5 **SEC. 304. RECREATIONAL USES.**

6 (a) MOUNT HOOD NATIONAL FOREST REC-
7 REATIONAL WORKING GROUP.—The Secretary may estab-
8 lish a working group for the purpose of providing advice
9 and recommendations to the Forest Service on planning
10 and implementing recreation enhancements in the Mount
11 Hood National Forest.

12 (b) CONSIDERATION OF CONVERSION OF FOREST
13 ROADS TO RECREATIONAL USES.—In considering a For-
14 est Service road in the Mount Hood National Forest for
15 possible closure and decommissioning after the date of en-
16 actment of this Act, the Secretary, in accordance with ap-
17 plicable law, shall consider, as an alternative to decommis-
18 sioning the road, converting the road to recreational uses
19 to enhance recreational opportunities in the Mount Hood
20 National Forest.

21 (c) IMPROVED TRAIL ACCESS FOR PERSONS WITH
22 DISABILITIES.—The Secretary, in consultation with the
23 public, may design and construct a trail at a location se-

- 1 lected by the Secretary in Mount Hood National Forest
- 2 suitable for use by persons with disabilities.

